



CALPEEK

CALIFORNIA POLITICAL WEEK

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VOL. XXV
No. 28

JULY 28, 2003

CALPEEK ON VACATION WEEK OF JULY 28TH

We will be on a "working vacation" this next week (week of July 28th) to complete work on *Calpeek's* Directory of Campaign Consultants. We plan to begin print production the week of July 28th. It usually takes about 15-20 days to print the 700 copies...

CALIF. INITIATIVE UPDATE: ARE THE SPONSORS AND OPPONENTS READY FOR AN EARLY FALL BALLOT??

Editor's note: One of the *unintended consequences* of an earlier than expected fall recall election ballot is that 2 of the 3 measures which were slated for the March 2, 2004 ballot will now be on this earlier ballot, causing both the pro and con sides to begin scrambling now – rather than later for support and \$\$\$\$\$. Here's our update & analysis...

...The two measures which will be on the ballot along with the recall will be *ACA 11* (dealing with infrastructure funding) and the *Racial Privacy Initiative* (also known as Ward Connerly's initiative and as CRECNO – Classification by Race, Ethnicity, Color and National Origin). Since ballot measures enacted by the Legislature appear first, *ACA 11* will probably be Prop. 53 and *RPI* will be Prop. 54. The \$12 billion school facility bond will be on the March 2002 ballot...

...The big question is whether backers and opponents of *ACA 11* and *RPI* are ready? Although backers of *ACA 11* don't have a formal committee name, there is a campaign organization in place, which includes Sacto consultant Townsend, Raimundo, Besler & Usher and pollster Jim Moore. Backers call *ACA 11* *The Calif. Future Initiative*. Pro-*ACA 11* sources said the earlier than anticipated recall election does create hurdles, "but we're ready." The hurdles include raising a credible war chest in a short time frame. And there is a question whether it's fair to put this complex initiative on the fall ballot with so little time to explain the issue. If approved, *ACA 11* would require that each year 3% of the general fund be used for infrastructure funding. And while *ACA 11* may seem free of controversy, there are special interests (SEIU and CTA) who may oppose it. So we're talking about the *possibility* of a public sector union

vs. private sector union special interest ballot war, with the Building & Construction Trade unions allied with the AGC and builders on the YES side...

...*Calpeek* called 6-10 GOP and Demo consultants trying to figure out if Connerly has begun to assemble a campaign to pass his *RPI*. The general feeling was that Connerly was not well prepared for an early fall election. As for the *Coalition for an Informed Calif.* (NO on *RPI*), sources say they are still raising money, but the campaign will be prepared. And NO on *RPI* thinks Connerly may be stretching himself very thin if he attempts to launch an anti-affirmative action initiative in Michigan to overturn the recent U.S. Supreme Court decision upholding affirmative action at the Univ. of Michigan. But Connerly may have other problems as well. His recent (and some would say disparaging) statements about Latinos has angered this large and growing Calif. minority group. One source told *Calpeek* that if the NO side is able to take advantage of Connerly's mistake, it will not only sink *RPI*, but could help galvanize Latinos to turn out in big numbers against the recall. Stay tuned...

RECALL MADNESS: EARLIER THAN EXPECTED FALL RECALL QUALIFIES. LEGAL MANEUVERING NEXT.

Editor's note: The news coverage of the CA recall election aimed at removing Gov. Gray Davis(D) is changing every 12 hours. The recall is the *top political news story* in the U.S., not just Calif. At 6:30 p.m. July 23rd Sec. of State Kevin Shelley(D) certified the recall as having collected the required number of valid signatures – more than 1.3 million. *Calpeek* sources are now anticipating a round of *legal maneuvers* over the next few days. Here's our analysis & commentary...

● *Lt. Gov. Bustamante's Call* – Once Calif. Secretary of State Kevin Shelley(D) certifies the recall as having collected the required 897,158 signatures, it will be up to Lt. Gov. Cruz Bustamante(D) to set the date for the recall. He could pick Sept. 23, Sept. 30 or Oct. 7. According to the Sacto BEE, Bustamante is leaning toward *Oct. 7th* to give local election officials as much time as he can. Sources in the SOS's office are worried that counties may not have

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enough time to prepare for an early fall recall – thus Calif. could be facing a Florida-style election fiasco...

● **2-Part Recall Election?** – Bustamante has indicated he'll call Part I of the recall election, but may NOT call for the election of Davis' replacement (Part II) on the same ballot – his theory being that if the recall is successful, he, as LG, would be the new governor. That's a risky strategy. Some see it as a Bustamante power play, but wonder if he's on sound legal footing. And already GOP attorneys connected with the recall forces are gearing up for a fight. The real power to settle this dispute rests with the **Commission on the Governorship** (composed of Senate Leader John Burton(D), Assembly Speaker Herb Wesson(D), Finance Director Steve Peace and the president of UC and the chancellor of the CSU system). They have the power *to seek legal action* on this question from the CA Supreme Court...

● **Signature Requirements** – It seems unbelievable that it only takes a \$3,500 filing fee and 65 signatures to be on Part II of the recall ballot. On July 21st, respected campaign and election law attorney Fred Woocher wrote an email brief stating that the SOS's office was *wrong* in saying it took only 65 signatures. Woocher believes it takes about **75,000 names** – 1% of the vote for governor in the last election. And that's certainly the way the Calif. Constitution read until it was revised in 1974. Woocher told *Calpeek*, "I haven't heard anyone say I'm wrong." Very interesting and if he's correct, SOS Kevin Shelley may have some explaining to do. Perhaps this too will be referred to the Calif. Comm. on the Governorship...

◆ **Voter Turnout in the Early Fall** – If the GOPers behind the recall felt their odds of getting a low Demo turnout in a special fall election were good, they may have made a major blunder. While previous statewide fall special elections haven't produced big numbers (vouchers in November of 1993 got a 36.4% turnout), this recall is getting *massive news coverage*. According to David Mermin of Lake, Snell, Perry (polling), "With all the publicity the turnout could approach an off-year general election." That means perhaps higher than **50.7%** - which was the turnout in November of 2002. Stay tuned...

CALPEEK'S CALENDAR OF POLITICAL EVENTS

July 29-Aug. 1	Council of State Govts-West annual meeting, Honolulu, HI. (916)553-4423 for info.
Sept. 10-13	League of CA Cities annual conf., Sacramento.
Oct. 2-4	AAPC Academic Conf., Akron, OH
Nov. 4	S.F. Muni Election + other cities

CAMPAIGN 2004: BOXER LOOKS GOOD IN NEW U.S. SENATE POLL. GOP CANDIDATES GEARING UP TOO.

Editor's note: As *Calpeek* reported two weeks ago, former U.S. Treasurer Rosario Marin(R) has launched her exploratory effort for the U.S. Senate. But as *Calpeek* also noted, Marin will have company in the GOP primary, not only from former Los Altos Mayor Toni Casey, but also from GOP Assembly Caucus Leader Tony Strickland. Here's our update & analysis, with new polling data...

...**Polling data first.** The new Field Poll has Demo U.S. Sen. Barbara Boxer's numbers going *up*. **48%** would vote to reelect vs. 41% not inclined. In April Boxer's reelect was at only at **38%**. And Boxer is holding 72% of her Demo base + independents favor Boxer 45% to 36%...

...Boxer's name ID is **90%** (50% favorable vs. 40% unfavorable) vs. Marin at only 22% and Casey at 15%. The Field Poll matched Boxer against both Marin and Casey, as well as former SOS Bill Jones and U.S. Rep. Mary Bono. Boxer defeats all four: Boxer 49% vs. Marin 34%, 17% undecided; Boxer 52% vs. Casey 26%, 22% undec.; Boxer 52% vs. Bono 35%; Boxer 49% vs. Jones 37%. But we should note that while Jones' name has surfaced as a possible candidate, he hasn't said boo about running. And Bono took herself out of the running months ago...

...Back to Marin. If it were not for the recall against Gov. Gray Davis, there's no doubt that the 44-year-old Marin would be getting more attention than she's now receiving. Regardless, Marin has put together a solid exploratory campaign team that includes sr. advisor Ken Khachigian; savvy GOP fundraising Anne Dunsmore; consultant Kevin Spillane(as policy director); and Janice Glaab as operations & political director. Website: www.rosarioforsenate.com. Campaign phone (949)933-2313. Money is the key for Marin over the next few months. If she can demonstrate an ability to raise a credible war chest, that will do much to attract GOP support. Sources say Marin's early fundraising efforts have been good...

...But lurking off to the right is Assemblyman Strickland, a very conservative lawmaker who is termed out in 2004. He has **not** officially declared his intent to form an exploratory effort; that would come only after the budget has been approved. And while our sources say it's likely he'll run, that decision is not totally locked in cement. But he has hired a solid campaign team to help: Dan Schnur of CommandFocus is the lead consultant, with Joe Justin handling mail/tv, and Joann Davis is the finance director. Stay tuned...

BUDGET WARS: REBELS WITH A CAUSE. RICHMAN AND CINCIAMILLA TAKE ON BOTH DEMOS & GOP.

Editor's note: Assemblymembers Keith Richman(R-San Fernando Valley) and Joe Cinciamilla(D-Contra Costa Co.) have one thing in common: they are almost considered *outlaws* in their respective caucuses because these two *moderates* have dared to buck their leadership in presenting a budget proposal which many sources think is the most responsible one on the table. But it doesn't even have a bill number and probably couldn't get out of committee because it calls for massive spending cuts (which the Demos won't vote for) as well as a ½ cent temporary sales tax increase (which the GOP won't go for). Here's our analysis...

... The R/C plan has attracted lots of press attention and now even has support from the L.A. & Hollywood Chambers of Commerce + the Valley Industry & Commerce Assn.(VICA). Richman & Cinciamilla made a presentation at the L.A. Chamber July 18th before 40 business leaders. What these leaders heard was sobering...

... Both R/C said Calif. lawmakers are often in a state of *gridlock* – with very little dialogue taking place between the majority Demos and minority GOPers. That's why R/C and other moderates are part of a bi-partisan group of lawmakers who continue to discuss a range of issues – budget, workers comp, water, pension reform. Why the gridlock? 1) term limits; 2) no open primary; and 3) a lousy remapping plan. The lousy remapping means that *moderates* from both parties are getting the shaft. All of these factors have led to *massive frustration* on both sides and it's why the public thinks Sacramento is totally dysfunctional. And both Richman and Cinciamilla agree that if no budget is put in place very soon, Calif. bonds will have *junk status*. (FYI: sources think a budget will get a vote fairly soon)...

... Why have business leaders endorsed the R/C budget plan? In addition to a mix of cuts & taxes, the R/C budget plan includes: 1) a spending cap; 2) a 5% budget reserve; 3) workers comp reform; 4) ending abusive lawsuits; 5) extending business tax credits. Of these items, workers comp reform is the top issue with both R/C. But they note their respective caucuses are deadlocked – thus w/c reform may not be possible. But Richman predicted that if workers comp reform were approved, a sales tax hike *wouldn't* be needed. W/C takes such a big bite out of business, that meaningful reform would amount to a *big stimulus*...

... A key problem now is the 2/3rds vote requirement to pass a budget or new taxes. Cinciamilla said the proposed Budget Accountability Act(BAA initiative) is what's

now driving Demos in their budget discussions. "They think the public will get angry with all the delays in passing a budget and that will eventually help the BAA." But Cinciamilla made one scary prediction: if the Demos are in control of the Legislature with only a 55% requirement (instead of the current 2/3rds requirement), taxes could go up *massively*. But he also predicted if this happens, Demo will eventually lose control of the legislature because of a *backlash* against higher taxes. Stay tuned...

RECALL MADNESS: CALPEEK LOOKS AT NUMBERS

Editor's note: Here are the new survey numbers from the Field Poll. The survey was taken July 1-13 among 1,040 registered voters (of which 719 were likely voters). Here's our analysis & commentary...

... Among likely voters in the new Field Poll, if the election were held now **51%** would vote to remove Gov. Gray Davis vs. **43%** who oppose the recall and **6%** are undecided. The best argument against the recall is the estimated \$30 million cost. **59%** agree that holding a fall special recall election would be a *waste of taxpayer money*...

... Most interesting part of the poll concerns the various candidates who might run. As of now, there are *no major Demos* set to run. As *Calpeek* hit deadline, *The Drudge Report* claimed Arnold Schwarzenegger would *not* be running. At least one other *Calpeek* source has confirmed that Arnold is OUT. If that's true, former L.A. Mayor Richard Riordan may now get into the race. And if he were to run, he'd be Gray Davis' *worst nightmare*...

... On the question whether voters are *inclined to vote* for Schwarzenegger, **31%** are YES vs. **61%** NO, with **7%** offering no opinion. That's a big NOT inclined – but Schwarzenegger isn't alone with bad numbers. U.S. Rep. Darrell Issa has **61%** not inclined vs. **22%** inclined. And GOP businessman Bill Simon Jr.'s numbers are terrible too: **30%** inclined vs. **62%** not inclined. Riordan's numbers are somewhat better: **53%** not inclined vs. **37%** who would vote for the former mayor...

... In the match up for 1st choice to replace Davis should the recall (Part I of the ballot) succeed, here is how it looks, without Schwarzenegger: Riordan 25%; Simon 16%, Peter Camejo(G) 9%; State Sen. Tom McClintock 8%; Issa 5%, someone else 26%, undecided 11%. McC took out his papers 7/23/03 – so he's IN...

... FYI: a less scientific GOP straw poll is now being touted by Sacto-based GOP campaign consultant Tom Ross. To vote: www.gopstrawpoll.com. Stay tuned...

CAMPAIGN 2004: UPDATE ON LEGISLATIVE RACES.

Editor's note: Here is *Part XVI* in our continuing series of updates about key U.S. House and Calif. Legislative primary races...

☒ **3rd CD Update** – Despite some solid poll numbers, Sacto radio talk show host Tom Sullivan has decided **not** to run in the early Spring GOP primary to replace retiring U.S. Rep. Doug Ose(R-Sacramento). This has to be great news to State Sen. Ricco Oller(R-Sacto) and former CA AG Dan Lungren(R). Both are still in the hunt, but Sullivan was ahead of both these guys in a survey conducted by GOP pollster Bob Moore. Sullivan decide against running because he said he didn't have the passion or patience for the job...

☒ **80th AD** – Demo Mary Ann Andreas will challenge freshman GOP Assemblywoman Bonnie Garcia next fall. Andreas has served for 20 years on the Morongo Indian Tribal Council – including several terms as tribal chair. In addition to her duties on the tribal council, Andreas is also very involved in civic activities and is a member of the Colorado River Basin Regional Water Quality Controll Board. In 2000, Lt. Gov. Cruz Bustamante named Andreas *Calif.'s Woman of the Year*. And if you're wondering about funding for Andreas' campaign, the answer is she won't have to worry – she'll be loaded. Andreas has hired savvy S.F.-based consultant Eric Jaye. Is it time for Bonnie to turn out the lights? No two ways about it, Garcia will be at the top of the Demo target list in 2004...

☒ **60th AD Update** – Add yet another GOP name to crowded field of candidates seeking to replace termed out GOP Assemblyman Bob Pacheco. Villa Park Councilman Bill MacAloney is a businessman whose term on the council expires in November of 2004. He is the past chair of the CA Grocers Assn. and a past chair of the Certified Grocers of CA. Politically, he's a conservative and favors the recall of Gov. Gray Davis. He has hired GOP consultant Chris Jones. Others in this GOP primary include Gayle Pacheco (Bob's wife); Diamond Bar Mayor Pro Tem Bob Huff; and perhaps Rancho Santiago Community College Bd. member Lisa Woolery. No longer in the running is O.C. Water Dist. member Denis Bilodeau. He dropped out and is now supporting MacAloney. If Woolery doesn't run, then MacAloney would be the only GOP candidate from the Orange Co. portion of the 60th AD. Pacheco and Huff are both from the San Gabriel Valley (L.A. Co.)...

☒ **47th AD Update** – This is the seat of Assembly Speaker Herb Wesson(D-L.A.) who is termed out at the end of next year. His son, Herb Wesson Jr., has decided **not** to run, which now means this primary has settled down to a 2-person contest: legislative aide Joey Hill, who ran once before for the assembly; and attorney Rickey Ivie, who has recently announced the support of L.A. Co. Sup. Yvonne Burke; The Rev. Cecil Murray; and Assemblyman Jerome Horton(D). Ivie has also announced that he's raised nearly \$90,000 and has cash on hand of \$88,407...

☒ **31st AD** – Fresno Co. Sup. Juan Arambula has announced his candidacy for the seat now held by Demo Assemblywoman Sarah Reyes, who is termed out at the end of 2004. Arambula is a Demo who now serves as Chair of the Fresno Co. Bd. of Supes. He also served two terms on the Fresno Unified School District (1987-1996). In the first reporting period, Arambula has reported \$185,000 raised. He's been endorsed by Reyes, former State Sen. Jim Costa(D), current State Sen. Dean Florez(D) and by agri-business leader John Harris. Arambula has hired Sacto-based Kaufman Campaign Consultants to run his campaign. Stay tuned...

CALPEEK's NEW JOBS AND PERSONNEL NOTICES.

Editor's note: Here are some items to mark down in your notebook...

- San Diego-based Competitive Edge Research & Communications has hired James D. Kipp as a research analyst...

- The Sacramento office of Edelman PR has promoted Tracy Fairchild to VP and Erica Manuel has been promoted to Acct. Supervisor. In addition, Cherri Spriggs has been hired as an AE, while Justin Caporusso has been hired as an Asst. AE...

- Barry Wyatt Associates has moved to 4040 American River Drive, Ste. 100, Sacramento, CA 95864. (916) 485-5595...

- Gov. Davis has named Danville Town Council member Millie Greenberg to the Contra Costa Co. Bd. of Supes. She replaces 3rd District Sup. Donna Gerber, who resigned...

- Scott Schmidt has joined the L.A. office of Nichols Dezenhall as a sr. counselor. He was most recently the govt. liason director at VICA ...